

United States District Court  
NORTHERN DISTRICT OF CALIFORNIA

PLAINTIFF

VESTA STRATEGIES, LLC,

THIRD PARTY SUMMONS IN A  
CIVIL ACTION

V. DEFENDANT AND THIRD PARTY PLAINTIFF

CAROL-ANN TOGNAZZINI

CASE NUMBER: C 07-06216JW RS

V. THIRD PARTY DEFENDANT

JOHN TERZAKIS

TO: (Name and address of defendant)

John Terzakis c/o McDermott Will & Emery LLP  
3150 Porter Drive Palo Alto, CA 94304-1212

**YOU ARE HEREBY SUMMONED** and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY, (name and address)

Daniel E. Alberti (68620)  
McDermott Will & Emery LLP  
3150 Porter Drive  
Palo Alto, CA 94304-1212

DEFENDANTS AND THIRD-PARTY PLAINTIFF'S ATTORNEY  
(name and address)

Law Offices of David L. Olson  
180 Grand Ave, Suite 700  
Oakland, CA 94612

an answer to the third-party complaint which is herewith served upon you, within \_\_\_\_\_ days after service of this summons upon you exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff.

RICHARD W. WIEKING

CLERK

Tiffany Salinas-Harwell

(BY) DEPUTY CLERK

DATE

MAR - 4 2008

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me <sup>1</sup>		DATE
Name of SERVER (PRINT)	TITLE	
Check one box below to indicate appropriate method of service		
<ul style="list-style-type: none"><li><input type="checkbox"/> Served personally upon the third-party defendant. Place where served:</li><li><input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:</li><li><input type="checkbox"/> Returned unexecuted:</li><li><input type="checkbox"/> Other (specify):</li></ul>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date</p> <p>_____ Signature of Server</p> <p>_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.